

ATTACHMENT A

**FACT SHEET – Subproject 32.1f – I-580 Eastbound HOT Lane**

**Subproject Description:**

This subproject will provide the infra structure for the HOT Lane to be included with the HOV project, clear the environmental document for the HOT lane and the required project report, prepare the PS&E package, provide the System integrator, and construct the Civil and the Electronic Toll System (ETS) elements.

**Need and Purpose:**

In order to provide better traffic flow on I-580 in Alameda County, an eastbound High Occupancy Vehicle (HOV) lane on I-580 from Greenville Road in the City of Livermore to Hacienda Blvd in the Cities of Dublin and Pleasanton will be converted to a combined HOV and High Occupancy Toll (HOT) lane. The project will reduce eastbound traffic congestion and delays, encourage the use of high occupancy vehicles and transit, support air quality and improve motorist safety. These elements will relieve congestion on the I-580 in turn creating safer travel corridors.

California State Assembly Bill 2032 authorizes the implementation of a 4-year demonstration Toll Lane Project on two transportation corridors in Alameda County. The bill specifies that HOV users will travel free and excess capacity may be sold to low occupancy vehicles.

**Subproject Cost and Funding:**

| PHASE                                     | COST                | PROPOSED FUNDING   |
|---|---------------------|--|
| Preliminary Engineering/<br>Environmental | \$1,500,000         | \$ 1,500,000 – RM2   |
| Design                                    | \$300,000           | \$300,000 – RM2  |
| Right-of-Way                              | \$200,000           | \$200,000 – RM2  |
| Construction Capital/Support              | \$17,000,000        | \$500,000 – RM2<br>\$6,000,000 CMAQ<br>\$3,000,000 TVTC<br>\$7,500,000 TBD |
| <b>TOTAL</b>                              | <b>\$19,000,000</b> | <b>\$19,000,000</b>  |

**RM2 Proposed: \$1,000,000 with this allocation.**

**Subproject Schedule:**

| PHASE                        | BEGIN        | END          |
|------------------------------|--------------|--------------|
| Prelim Engr/Environmental    | August 2008  | January 2009 |
| Design                       | January 2009 | March 2009   |
| Right-of-Way                 | June 2009    | June 2010    |
| Construction Capital/Support | June 2009    | June 2011    |

**ATTACHMENT B**

**RESOLUTION 08-014**

**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY  
RESOLUTION 08-01X**

**Implementing Agency:** Alameda County Congestion Management Agency

**Project Titles:** Allocation Request for the Subproject 32.1a: Corridor Management and 32.1f: Eastbound I-580 HOT Lane Project of Project 32: I-580 – Tri-Valley Rapid Transit Corridor Improvements.

Whereas, SB 916 (Chapter 715, Statutes 2004), commonly referred as Regional Measure 2, identified projects eligible to receive funding under the Regional Traffic Relief Plan; and

Whereas, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for Regional Measure 2 funds, pursuant to Streets and Highways Code Section 30914(c) and (d); and

Whereas, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for Regional Measure 2 funding; and

Whereas, allocations to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 2 Policy and Procedures; and

Whereas, the Alameda County Congestion Management Agency (CMA) is an eligible sponsor of transportation projects in Regional Measure 2, Regional Traffic Relief Plan funds; and

Whereas, the Subproject 32.1f: Eastbound I-580 HOT Lane Project is eligible for consideration in the Regional Traffic Relief Plan of Regional Measure 2, as identified in California Streets and Highways Code Section 30914(c) or (d):

and

Whereas, the Regional Measure 2 allocation request, attached hereto in the Initial Project Report and incorporated herein as though set forth at length, project, purpose, schedule, budget, expenditure and cash flow plan for which CMA is requesting that MTC allocate Regional Measure 2 funds; and

Resolved, that the CMA, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's Regional Measure 2 Policy Guidance (MTC Resolution No. 3636); and be it further

Resolved, that the CMA certifies that the project is consistent with the Regional Transportation Plan (RTP).

Resolved, that the year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project.

Resolved, that the Regional Measure 2 phase or segment is fully funded, and results in an operable and useable segment.

Resolved, that the CMA approves the updated Initial Project Report, attached to this resolution; and be it further

Resolved, that the CMA approves the cash flow plan, attached to this resolution; and be it further

Resolved, that the CMA has reviewed the project needs and has adequate staffing resources to deliver and complete the project within the schedule set forth in the updated Initial Project Report, attached to this resolution; and be it further

Resolved, that the CMA is an eligible sponsor of projects in the Regional Measure 2 Regional Traffic Relief Plan, Capital Program, in accordance with California Streets and Highways Code 30914(c); and be it further

Resolved, that the CMA is authorized to submit an application for Regional Measure 2 funds for the Subproject 32.1f: Eastbound I-580 HOT Lane Project as part of the Project 32: I-580 – Tri-Valley Rapid Transit Corridor Improvements, in accordance with California Streets and Highways Code 30914(c):

and be it further

Resolved, that the CMA certifies that the project and purposes for which RM2 funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 *et seq.*) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 *et seq.* and the applicable regulations thereunder; and be it further

Resolved, that there is no legal impediment to the CMA making allocation requests for Regional Measure 2 funds; and be it further

Resolved, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the CMA to deliver such project; and be it further

Resolved that CMA indemnifies and holds harmless MTC, its Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of the CMA, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM2 funds. In addition to any other remedy authorized by law, so much of the funding due under this allocation of RM2 funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages, and be it further

Resolved, that the CMA shall, if any revenues or profits from any non-governmental use of property (or project) are collected, that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to a proportionate share equal to MTC's percentage participation in the projects(s); and be it further

Resolved, that assets purchased with RM2 funds including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that Regional Measure 2 funds were originally used; and be it further

Resolved, that the CMA shall post on both ends of the construction site(s) at least two signs visible to the public stating that the Project is funded with Regional Measure 2 Toll Revenues; and be it further

Resolved, that the CMA authorizes its Executive Director, or his designee, to execute and submit an allocation request for the following phase of the following subproject with MTC for Regional Measure 2 funds for a total of \$500,000 for the project, purposes and amounts included in the project application attached to this resolution.

| Project                                | Phase        | Previous Allocation Authorized | Additional / New Allocation Need | Total for Phase | Total Subproject (previous and new allocation) | ALLOCATION REQUESTED |
|--|--------------|--------------------------------|----------------------------------|-----------------|--|----------------------|
| Value in \$ Thousands                  |              |                                |                                  |                 |  |                      |
| 32.1f I-580 Eastbound HOT Lane Project | PA/ED        | 1,000                          | 500                              | 1,500           | 1,500  | 500                  |
|  | Final Design |                                |                                  |                 |  |                      |
|  | Total        | 1,000                          | 500                              | 1,500           | 1,500  | 500                  |

and be it further

Resolved, that the Executive Director, or his designee, is hereby delegated the authority to make non-substantive changes or minor amendments to the IPR as he/she deems appropriate.

Resolved, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the CMA application referenced herein.

Resolved, that the Executive Director, or his designee, is hereby delegated the authority to make non-substantive changes or minor amendments to the IPR as he/she deems appropriate.

Resolved, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the CMA application referenced herein.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**SIGNED:**

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Mark Green, Chairperson

**ATTEST:**

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Gladys V. Parmelee, Board Secretary